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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,471	06/25/2001	Ronald W. Bassett	AUS920000714US1	8675

24033 7590 01/12/2006

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EXAMINER

PESIN, BORIS M

ART UNIT PAPER NUMBER

2174

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,471

Applicant(s)

BASSETT ET AL.

Examiner

Boris Pesin

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/17/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-12, 21, 24-29, 31-36, 45, 48-53, 55-60, 69 and 72-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 21, 24-29, 31-36, 45, 48-53, 55-60, 69 and 72-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 10/17/2005.

Claims 1-5, 7-12, 21, 24-29, 31-36, 45, 48-53, 55-60, 69, and 72-78 are pending in this application. Claims 1, 21, 25, 45, 49, and 69 are independent claims. In the amendment filed 10/17/2005, Claims 1, 21, 25, 45, 49, and 69 were amended and claims 73-78 were added as new. This action is made Non-Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59 and 60 rejected under 35 U.S.C. 103(a) as being unpatentable over Raff (US 6785868) in view of Barnett et al. (US 6369840).

In regards to claim 1, Raff teaches a method for accessing calendar information of users in a database for presentation by a personal information manager, comprising: maintaining scheduled event records for users within the database, including a given user (i.e. "A method and system for synchronizing and using calendar information from a shared database." Abstract); maintaining information for the given user on shadowed events for a tracked entity that are part of the tracked entity's scheduled event records, wherein the tracked entity was selected by the given user (i.e. Figure 15 and Figure 16); providing from the database scheduled event records for the given user and information on shadowed events of at least one tracked entity, wherein the scheduled event records of the given user are capable of being scheduled at calendar times that overlap with scheduled shadowed events for the at least one tracked entity (i.e. Figure 15 and Figure 17); and displaying information on the provided scheduled event records and shadowed events for a time period in response to displaying the given user's scheduled event records (i.e. Figure 15 and Figure 17).

Raff does not specifically teach receiving selection from the given user to add a selected shadowed event to the given user's scheduled event record; and adding the tracked entity's scheduled event record comprising the selected shadowed event to the given user's scheduled event records in the database, wherein the scheduled event record from the tracked entity added to the given user's scheduled event records are

displayed as part of the given user's scheduled event. Barnett teaches, "In one embodiment, the Favorite Events screen also contains event categories representing shared group calendars of other users. Thus, users can create personal or work-related group calendars which can be shared and subscribed to as are public calendars. Such group calendars are listed as additional buttons 802, allowing the user to select or de-select individual group calendars and view associated events as desired, "layered" on top of other displayed events in screen 315." (Column 11, Line 56) and "A checkbox 904 is provided for each event 903. The user can add an event 903 to his or her personal calendar by clicking on the associated check-box 904 and clicking on button 807. Other mechanisms may be provided for adding individual events, or groups of events to the user's personal calendar." (Column 12, Line 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raff with the teachings of Barnett and include a system wherein a user is able to add events from other calendars with the motivation to provide an easy way to inform the user of events that may be of interest (Barnett, Column 1, Line 57).

In regards to claim 2, Raff teaches all the limitations of claim 1. Raff further teaches a method of claim 1, comprising: displaying information on the shadowed events in a different manner than information on the scheduled event records for the time period is displayed (i.e. Figure 17).

In regards to claim 4, Raff teaches all the limitations of claim 1. Raff further teaches the method wherein information on the shadowed events and scheduled event records are displayed in different calendar panel views (i.e. Figure 16, Element 615).

In regards to claim 5, Raff teaches all the limitations of claim 1. Raff further teaches the method comprising displaying further information on the shadowed event in response to user selection of the shadowed event (i.e. Figure 16, Element 615).

In regards to claim 7, Raff teaches all the limitations of claim 1. Raff further teaches the method further comprising displaying the information on the selected shadowed event as a scheduled event record (i.e. Figure 17).

In regards to claim 8, Raff teaches all the limitations of claim 1. Raff further teaches the method if the selected shadowed event is scheduled for a calendar time overlapping a calendar time of a scheduled event record, then overriding the scheduled event record for the overlapping time period with the selected shadowed event (i.e. Figure 17, the shadowed entries are listed under the specific time).

In regards to claim 12, Raff and Tognazzini teach all the limitations of claim 1. Raff further teaches a method for maintaining a list of users in the database for which scheduled event records are maintained (i.e. Figure 15); and providing one shadowed event to each user in the list, wherein information on the provided shadowed event is displayed by each user on the list when displaying the user information on the scheduled event records and scheduled events (i.e. Figure 17).

In regards to claim 9, Raff teaches all the limitations of claim 1. Raff does not teach a method wherein the scheduled shadowed event is an event for which payment must be received in order to attend the scheduled shadowed event. Barnett teaches, "In another embodiment, a link may be provided for making a purchase associated with a particular event. For example, if the event is a concert, a link to an on-line ticketing

service maybe provided, for purchasing tickets to the concert. The link can be targeted to a particular event within an electronic commerce site that sells tickets, so that the user need not re-enter the particulars of the event in order to purchase tickets." Column 14, Line 13). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raff with the teachings of Barnett and include a method to pay for specific events with the motivation to provide the user with a convenient method of paying for events using a calendar system.

In regards to claim 10, Raff and Barnett teach all the limitations of claim 9. Raff does not teach a method for displaying information enabling the user to selectively submit payment in order to attend the scheduled shadowed event. Barnett teaches, "In another embodiment, a link may be provided for making a purchase associated with a particular event. For example, if the event is a concert, a link to an on-line ticketing service maybe provided, for purchasing tickets to the concert. The link can be targeted to a particular event within an electronic commerce site that sells tickets, so that the user need not re-enter the particulars of the event in order to purchase tickets." Column 14, Line 13).

In regards to claim 11, Raff and Barnett teach all the limitations of claim 9. Raff further teaches a method wherein the shadowed event is a member of the set of events comprising: a theatrical production; movie; sporting event; entertainment; and public speaking engagement (i.e. Figure 18).

Claims 25, 26, 28, 29, 31, 32, and 36 are in similar scope to claims 1, 2, 4, 5, 7, 8, and 12 respectively; therefore they are rejected under similar rationale.

Claims 49, 50, 52, 53, 55, 56, and 60 are in similar scope to claims 1, 2, 4, 5, 7, 8, and 12 respectively; therefore they are rejected under similar rationale.

Claims 33, 34, and 35 are in similar context to claims 9, 10, and 11 respectively; therefore they are rejected under similar rationale.

Claims 57, 58, and 59 are in similar context to claims 9, 10, and 11 respectively; therefore they are rejected under similar rationale.

Claim Rejections - 35 USC § 103

Claims 3, 27, and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raff (US 6785868) in view of Coleman et al. (US 6262732).

In regards to claim 3, Raff teaches all the limitations of claim 2. Raff further teaches that information on the scheduled events are displayed as solid text. Raff does not teach a method wherein the information on the shadowed events is displayed as transparent text. Coleman teaches, "A "transparent note" such as annotation 318 may [be] added by clicking on button 308a. The annotation is contained within a transparent rectangular area which may be defined by clicking on image 312 to specify the upper-left corner of the rectangle and using a keyboard to enter desired text. Because of the transparent nature of this rectangular area, underlying features on page image 312 are visible." Column 8, Line 31). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raff with the teachings of Coleman and include transparent text with the motivation to provide the user with more information on a limited display.

Claim 27 is in similar context to claim 3; therefore it is rejected under similar rationale.

Claim 51 is in similar context to claim 3; therefore it is rejected under similar rationale.

Claims 21, 24, 45, 48, 69, and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raff (US 6785868) in view of Moon et al. (US 6064975).

In regards to claim 21, Raff teaches a method for implementing a personal information manager in an electronic calendar device for given user, comprising: displaying scheduled records for a designated time period of the given user in the electronic calendar (i.e. Figures 15, 16 and 17); providing scheduled event records for the given user and information on shadowed events of at least one tracked person that are part of the at least one tracked person's scheduled event records, wherein the at least one tracked person was selected by the given user, wherein the scheduled event records are capable of being scheduled at calendar times that overlap with scheduled shadowed events for the at least one tracked person (i.e. Figures 15 and 17); and displaying information on the provided scheduled event records and shadowed events for a time period (i.e. Figure 17).

Raff does not teach a method for displaying location information providing a current location of at least one tracked person provided by an electronic device with the tracked person transmitting location information. Moon teaches, "Home control button 77 is activated to indicate that location for which portable intelligent communications

device 10 has been set as the home base of operation, Location control button 79 is activated to indicate the current location of portable intelligent communications device 10, and Context control button 81 is activated to indicate the location of a party with whom portable intelligent communications device 10 is having either a current conversation, if applicable, or the location of a party with whom portable intelligent communications device 10 most recently had a conversation (the term "conversation" including but not limited to voice, data, and white board communication)." (Column 5, Line 29). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raff with the teachings of Moon and include a method of tracking users with the motivation to provide the user with more precise information about the location of the user.

In regards to claim 24, Raff and Moon teach all the limitations of claim 21. Raff does not teach a method wherein displaying information on the shadowed events further comprises displaying contact information to enable the user to contact the tracked entity using communication capabilities of the electronic calendar device. Moon teaches, "Home control button 77 is activated to indicate that location for which portable intelligent communications device 10 has been set as the home base of operation, Location control button 79 is activated to indicate the current location of portable intelligent communications device 10, and Context control button 81 is activated to indicate the location of a party with whom portable intelligent communications device 10 is having either a current conversation, if applicable, or the location of a party with whom portable intelligent communications device 10 most recently had a conversation

(the term "conversation" including but not limited to voice, data, and white board communication)." (Column 5, Line 29).

Claims 45 and 48 are in similar rationale to claims 21 and 24; therefore they are rejected under similar rationale.

Claims 69 and 72 are in similar rationale to claims 21 and 24; therefore they are rejected under similar rationale.

Claims 73, 75, and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raff (US 6785868) in view of Tognazzini (US 5790974).

In regards to claim 73, Raff teaches all the limitations of claim 1. Raff further teaches a method wherein a conflict signal is not generated if at least one shadowed event record and scheduled event record for which the information is displayed are scheduled for overlapping calendar times (i.e. Figure 17, if there are overlapping events for the same time slot, the entries are just listed one after the other as illustrated in Figure 17). Raff does not teach a method wherein a conflict signal is generated if scheduled event records for one user are scheduled for overlapping calendar times. Tognazzini teaches, "FIG. 4C is a flow diagram showing the conflict resolution procedure executed by the agent 16b. The agent 16b prompts the user in step 240 whether an alternate travel route is desired. If the user does not wish an alternate route, the agent 16b then prompts the user in step 242 whether the personal calendar stored in the calendar memory 30b should be modified." Column 14, Line 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify

Raff with the teachings of Tognazzini and include a method to notify a user of conflicting events with the motivation to provide the user a convenient method of altering the schedule incase there is a conflict.

Claims 75 and 77 are in the same context as claim 73; therefore they are rejected under similar rationale.

Claims 74, 76, and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raff (US 6785868) in view of view of Moon et al. (US 6064975) in further view of Tognazzini (US 5790974).

In regards to claim 74, Raff teaches all the limitations of claim 1. Raff further teaches a method wherein a conflict signal is not generated if at least one shadowed event record and scheduled event record for which the information is displayed are scheduled for overlapping calendar times (i.e. Figure 17, if there are overlapping events for the same time slot, the entries are just listed one after the other as illustrated in Figure 17). Raff does not teach a method wherein a conflict signal is generated if scheduled event records for one user are scheduled for overlapping calendar times . Tognazzini teaches, "FIG. 4C is a flow diagram showing the conflict resolution procedure executed by the agent 16b. The agent 16b prompts the user in step 240 whether an alternate travel route is desired. If the user does not wish an alternate route, the agent 16b then prompts the user in step 242 whether the personal calendar stored in the calendar memory 30b should be modified." Column 14, Line 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify

Raff with the teachings of Tognazzini and include a method to notify a user of conflicting events with the motivation to provide the user a convenient method of altering the schedule incase there is a conflict.

Claims 76 and 78 are in the same context as claim 74; therefore they are rejected under similar rationale.

Response to Arguments

Applicant's arguments filed 10/17/2005 have been fully considered but they are not persuasive.

The applicant argues:

- a. Raff teaches away from adding a selected shadowed event to the given user's scheduled events.
- b. There is no teaching in Barnett that a scheduled event is an event for which payment must be received and Raff teaches away because the only events that are shown are calendar events from other users.
- c. Moon does not teach or suggest the claim requirements of displaying location information on a tracked person whose shadowed events are displayed with the scheduled events of the user.
- d. There is no motivation to combine Raff and Moon.

In regards to argument (a), the Examiner disagrees. The Applicant points out passages that illustrate that a user cannot edit the schedules of other users. However editing the schedules of other users is not part of the claim limitations. The claim limitations deal with a "given user". In Raff the "given user" is the default, and it is clear in Raff that a user can edit their own schedule.

In regards to argument (b), the Examiner disagrees. Barnett teaches, "In another embodiment, a link may be provided for making a purchase associated with a particular event. For example, **if the event is a concert, a link to an on-line ticketing service maybe provided, for purchasing tickets to the concert.** The link can be targeted to a particular event within an electronic commerce site that sells tickets, so that the user need not re-enter the particulars of the event in order to purchase tickets." Column 14, Line 13). If the user does not buy a ticket, he cannot attend the event; therefore payment must be received. Raff does not teach away because a user might also want to attend an event that another user is scheduled for.

In regards to argument (c), the Examiner disagrees. The Examiner uses the Moon reference to solely teach, "a method for displaying location information providing a current location of the tracked person provided by an electronic device with the tracked person transmitting location information" and not "displaying location information on a tracked person whose shadowed events are displayed with the scheduled events of the user" as stated by the applicant. The combination of Raff and Moon teaches displaying location information on a tracked person whose shadowed events are displayed with the scheduled events of the user. One cannot show nonobviousness by

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attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In regards to argument (d), the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one of ordinary skill in the art, a computer programmer, at the time of the invention to modify Raff with the teachings of Moon and include a method of tracking users with the motivation to provide the user with precise information about the location of other users.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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BP

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